COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

NON HIT SHOOTING EVALUATION

UNIT:	Compton Station
DATE:	November 23, 2004
TIME:	0035 hours
LOCATION:	[redacted] South Holly Avenue, Compton
URN#:	404-18659-2846-055
IAB#:	SH2133512

NATURE OF INCIDENT: Deputies Forlano and Dean were on routine patrol when they spotted a suspicious male standing next to a van. The deputies believed that the male might be burglarizing the van and attempted to contact the male. The male upon seeing the deputies ran into the rear yard of the location. The deputies chased the suspect into the rear yard of the location. The suspect turned toward the deputies and pointed a handgun at them. Deputy Forlano, believing that he was going to shot and killed by the suspect, fired one round at the suspect. The suspect immediately dropped his weapon and surrendered without further incident. Deputy Forlano's round missed the suspect.

COMPLETED BY: Sergeant Henry J. Reyes
Internal Affairs Bureau

DATE: November 23, 2004

INVESTIGATIVE NARRATIVE
USE OF DEADLY FORCE
DEPUTY INVOLVED NON HIT SHOOTING
404-18659-2846-055
SH2133512

On Tuesday, November 23, 2004, at approximately 0235 hours, Sergeants Henry Reyes and Greg Key and Lieutenant Curtis Jensen of Internal Affairs Bureau responded to [redacted] South Holly Avenue, Compton, regarding a Non Hit Deputy Involved Shooting Incident. Commander Ralph Martin, Acting Captain David Tellez and Ilana Rosenzweig of the Office of Independent Review also responded. We were briefed on the incident by the field sergeant, Sergeant Ralph Miller. The following narrative is based on written and verbal statements obtained by the personnel involved and civilian witnesses.

INVOLVED DEPUTY
Anthony Forlano #[redacted] Deputy Sheriff

SUSPECT:
Tyson, Dsean, Lafayette, MB/28 Booking #8361741
Tyson has an extensive criminal history [redacted], to review a copy fo Tyson's criminal history, refer to Exhibit A.

WITNESSES:

Robert Dean #[redacted]	Deputy Sheriff
[redacted]	Civilian
	Civilian
	Civilian
	Civilian

INVOLVED EMPLOYEE'S STATEMENTS:
Deputy Anthony Forlano said he and his partner Deputy Dean (Dean was the driver, Forlano was the passenger) were on routine patrol, when they observed a suspicious male standing next to a van, in the [redacted] Block of South Holly Avenue. Forlano said he believed the male might be burglarizing the van so they drove closer to investigate. Forlano said the suspect upon seeing them, ran west down the driveway of the residence ([redacted] Holly Avenue) and attempted to enter a locked gate, located on the [redacted] side of the residence. Forlano said the male immediately changed direction and began running [redacted] across the front yard of the residence toward the [redacted] gate which led to the rear yard of the location. Forlano said he saw that the suspect held onto his right front pant's pocket as he (suspect) ran. Forlano said based on his observation, training and experience he believed the suspect was armed with a handgun. Forlano said both he and Dean exited their vehicle and followed the suspect. Forlano said he initiated a radio broadcast via his handheld radio, advising that he and Dean were in foot pursuit of a [redacted] (man with a gun) suspect. Forlano said he felt he was in a position of tactical advantage by keeping the suspect in visual contact verses stopping and setting up containment.

INVOLVED EMPLOYEES STATEMENTS:

Deputy Forlano explained that because he believed the suspect was armed and in a residential area, he feared the suspect might harm or take a citizen hostage. Forlano said he saw the suspect crash into the [redacted] gate of the residence and enter the side yard in a [redacted] direction. Forlano said he repeatedly yelled at the suspect to stop and the suspect ignored him and continued into the backyard of the residence. Forlano said he was approximately 12-15 feet behind the suspect and he knew that Dean was close behind him. Forlano said he never lost visual sight of the suspect at anytime during the entire incident. Forlano said he continued to yell at the suspect to stop, the suspect continued running [redacted] through the backyard of the residence. Forlano said as the suspect neared the [redacted] block wall of the residence, the suspect spun toward his left and pulled a handgun from his right front pant pocket. Forlano said the suspect then pointed the handgun at him and he believed the suspect was going to shoot and kill him. Forlano said in fear for his safety and the safety of his partner, he fired one round at the suspect. Forlano said the suspect immediately dropped his weapon and fell to the ground. Forlano said he was aware that his backdrop was a block wall when he fired at the suspect.

IAB Note: To review a copy of the crime scene sketch authored by Deputy Forlano showing direction and location of foot pursuit and location where shooting occurred, refer to Exhibit B.

Deputy Forlano said the suspect was taken into custody and handcuffed without further incident. Forlano said he immediately broadcast information that he was involved in a shooting. Forlano explained that Dean recovered the suspect's weapon because they (he and Dean) did not want to leave the gun unattended in the yard. Forlano explained that the area is heavily gang infested and both he and Dean decided it would be safer to immediately recover the gun.

IAB Note: Deputy Forlano's weapon, 9mm, Beretta serial # BER[redacted]Z, was examined by investigators and was found to contain one round chambered and 14 rounds in the magazine. Forlano told investigators that the gun had been loaded with a total of 16 rounds (one chambered and 15 in the magazine). Forlano's duty weapon was examined by the Firearm's Unit and found to be in proper working condition. To review a copy of the Firearm's report, refer to Exhibit C.

WITNESS STATEMENTS:

Witness Robert Dean said he and his partner Deputy Forlano were on routine patrol in a marked radio car. Dean said he was driving the vehicle and Forlano was the passenger. Dean said as they drove southbound on South Holly Avenue, he saw a suspicious male standing next to a van. Dean said he drove toward the male to investigate further. Dean said he saw that the suspect had a startled look on his face when he saw them (he and Forlano). Dean said the suspect immediately began to run. Dean said he saw the suspect run [redacted] toward the [redacted] gate of the residence at [redacted] South Holly Avenue. Dean said both he and Forlano exited their vehicle as the suspect ran [redacted] across the front of the yard of the location. Dean said both he and Forlano followed the suspect. Dean said he saw that the suspect held his right hand against his pocket as he ran. Dean said he heard Forlano broadcast that they were in foot pursuit of a man with a gun.

WITNESS STATEMENTS:

Deputy Dean said he yelled at the suspect to stop but the suspect ignored him and continued running. Dean said he saw the suspect kick open the [redacted] gate and enter the side yard of the residence. Dean said Forlano was approximately 10 to 15 feet behind the suspect and he (Dean) is was another 10 feet behind Forlano. Dean said he yelled at the suspect to stop but the suspect continued to ignore his orders. Dean said he remained in visual contact of both the suspect and Forlano during the entire incident. Dean said as the suspect was nearing the [redacted] rear block wall, the suspect turned toward them and pulled a handgun from his right front pant's pocket. Dean said he believed the suspect was going to shoot them. Dean said he saw Forlano fire one round at the suspect. Dean explained that he was not able to fire at the suspect because Forlano was in his line of fire. Dean said that the suspect immediately dropped his weapon and fell to the ground. Dean said Forlano immediately broadcast [redacted] (deputy involved in a shooting) information. Dean said he recovered the suspect's weapon. Dean explained that because the area is heavily gang infested, he did not want to leave the gun unattended when they walked the suspect to their radio car. Dean said he noticed another male [redacted], Mb/[redacted]) in the van. Dean said they (he and Forlano) determined that [redacted] was [redacted] to the suspect and that the van was registered to the suspect. Dean said the [redacted] was detained and determined not to be involved in any criminal activity. Dean said the [redacted] was transported to Compton Station and eventually released to his parents.

> **IAB Note: To review a copy of a sketch drawn by Deputy Dean, indicating his position and the positions of the suspect and Deputy Forlano at the time of the shooting, refer to Exhibit D.**

Witness [redacted] said he had driven to the location along with his [redacted] (Suspect Tyson). [redacted] said he was sitting in the van and his [redacted] was standing outside of the van when the deputies drove up. [redacted] said he saw his [redacted] run from the deputies. [redacted] said he saw his [redacted] run into the rear yard of the residence. [redacted] said he saw the deputies run after his [redacted] and he heard one gunshot. [redacted] said he did not hear the deputies say anything to his [redacted] as they chased after him. [redacted] said the deputies saw him when they placed his [redacted] into the police car. [redacted] added that he was searched and detained by those same deputies.

Witness [redacted] said he was inside his residence [redacted] when he heard the sound of someone running along the [redacted] side of his residence. [redacted] said he looked outside his kitchen window and saw two deputies running into the rear yard of his neighbors residence. [redacted] said he heard the sound of a gunshot. [redacted] said he did not hear or see anything else.

Witness [redacted] said he was inside his residence [redacted] when he heard the sound of a single gunshot. [redacted] said he did not hear or see anything else.

Witness [redacted] said she was inside her residence [redacted] when she heard the sound of a gunshot. [redacted] said she did not hear or see anything else.

SUSPECT STATEMENTS:
Suspect Tyson complained that he had been handcuffed and left sitting in a radio car for several hours following his arrest. When asked to comment regarding the deputy involved shooting, Tyson invoked his constitutional rights and requested a lawyer.

INJURIES: Suspect Tyson did not sustain any visible injuries.

PHYSICAL EVIDENCE: 380 caliber, "FEG," semiautomatic handgun with a magazine, containing 7 live, 380 caliber rounds (one chambered, six in a magazine).

INVESTIGATOR OBSERVATIONS: I (Sergeant Reyes) saw a white van license #[redacted], parked along the west curb line in front of [redacted] South Holly Avenue. I saw that the [redacted] gate leading into the rear yard of [redacted] South Holly Avenue, had been forced opened as evidenced by the broken and bent locking mechanism. I did not locate any shell casing because of the tall overgrown grass where the shooting occurred.

IAB Note: To review photographs of [redacted] South Holly Avenue, refer to Exhibit E.

WEAPONS USED BY DEPUTY PERSONNEL:
9mm, Beretta

WEAPONS USED BY SUSPECTS:
380 caliber, "FEG," semiautomatic handgun, serial # [redacted] with a magazine, containing 7 live, 380 caliber rounds.

PROPERTY DAMAGE:
None

CRIMINAL INVESTIGATOR:
Detective Binion of Compton Station Detective Bureau presented the case to the District Attorney's Office for review. The District Attorney filed 69 P.C. 12021 (A)(1) P.C. & 417 (C) P.C.

LIGHTING OR WEATHER CONDITIONS:
The rear yard of the location where the shooting occurred was illuminated by a large flourescent light fixture and lights from neighboring structures. The evening was cool and clear.

IAB Note: To review copies of Incident and supplemental reports authored by Compton Station personnel, refer to Exhibit F.